



Federal Communications Commission
Washington, D.C. 20554

June 18, 2010

In Reply Refer to:
1800B3

Mr. Andrew Skotdal
CAAM Partnership, LLC
P.O. Box 5267
Everett, Washington 98206-5267

In re: New(AM), Snohomish, WA
Facility ID No. 160891
File No. BNP-20071010ABZ

Environmental Assessment

Dear Mr. Skotdal:

The Commission has before it the referenced application, as amended (the "Application"), of CAAM Partnership, LLC ("CAAM") for a new AM broadcast station (the "Station") in Snohomish, Washington. Before processing of the application can be completed, we require additional information with respect to the environmental effects of the proposal. The information requested below should be submitted in an amendment to the Application within 90 days of the date of this letter.

The Application specifies daytime non-directional antenna operations at 20 kW from one 59.4-meter tower that has already been constructed at the Station's proposed site and currently is used by KRKO(AM), Everett, Washington and nighttime directional antenna operations at 50 kW from four 59.4-meter antenna towers, two of which already have been constructed at the proposed site and currently are used by KRKO(AM) and two of which CAAM proposes to construct at the proposed site. Because the Application proposes to construct two additional towers in a flood plain, CAAM submitted an environmental assessment ("EA") pursuant to Section 1.1307(a)(6) of the Commission's Rules (the "Rules").¹

Upon review of the EA, we have determined that it is deficient in two significant respects. We find the information provided to address the impact on "districts, sites, buildings, structures, or objects, significant in American history, architecture, archaeology, engineering, or culture, that are listed, or are eligible for listing, in the National Register of Historic Places" to be lacking. The EA seeks to satisfy this requirement by submitting a July 9, 2001, letter from the State of Washington, Office of Community Development, Office of Archaeology and Historic Preservation ("OAHD"). It does not appear that CAAM has made any effort to determine whether additional historic properties had been identified within the Area of Potential Effects for the towers since the issuance of the July 9, 2001, OAHD letter. CAAM must undertake this effort. We remind CAAM that it must follow the procedures set forth in the

¹ 47 C.F.R. § 1.1307(a)(6). The Bureau released a *Public Notice* announcing the acceptance of the EA on September 24, 2008 and providing a 30-day period for public comment on the EA. See *Environmental Assessment Accepted for Filing/Environmental Action*, Public Notice, Report No. MB/AD-08-02, 23 FCC Rcd 13847 (Sept. 24, 2008). We received no timely comments on the EA.

*Nationwide Programmatic Agreement for Review of Effects on Historic Properties for Certain Undertakings Approved by the Federal Communications Commission ("NPA").*² These procedures involve preparation and submission of an FCC Form 620 to the state historic preservation officer.

In addition, we find the information provided regarding the "cumulative effects" of both the existing and proposed towers to be insufficient. Among other things, it is not clear whether CAAM sought input from the U.S. Fish and Wildlife Service ("USFWS") on the updated Biological Assessment submitted with the EA. CAAM must undertake this effort now or verify that it already has done so. In addition, while the updated Biological Assessment states that the findings of the original Biological Assessment submitted by S-R Broadcasting Co., Inc. "remain current for bull trout," it does not address whether the findings remain current for the other fish species considered in the original Biological Assessment. CAAM must submit additional information updating the findings in the original Biological Assessment regarding Dolly Varden, Chinook Salmon and Coho Salmon. Finally, we note that, although USFWS has required any "takings" of migratory birds at the site of the existing towers to be reported,³ the updated Avian Risk Assessment does not indicate whether there have been any takings of migratory birds by these towers. CAAM must provide this information also.

We will withhold action on the Application for a period of 90 days to enable CAAM to collect the relevant information and file an amendment to the Application.

Sincerely,



Peter H. Doyle
Chief, Audio Division
Media Bureau

Enclosure

cc: Robert Jacobi, Esq. (Counsel for the Applicant)
Citizens to Preserve the Upper Snohomish River Valley
Stewards of the Land and Community
Angela Day
Albert C. Highberger

² Memorandum Opinion and Order, 20 FCC Rcd 1073 (2004). The NPA became effective in 2005. We note that, while the NPA did not apply when OAHD initially reviewed this project in 2001, it applies to the CAAM EA, which was prepared in 2008.

³ Letter to Ms. Linda White Adkins from Ken S. Berg, Manager, Western Washington Fish and Wildlife Office, Fish and Wildlife Service, United States Department of the Interior (Apr. 11, 2007) at 1, attached to Letter from Robert B. Jacobi (Apr. 25, 2007).